IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.Misc.No.24034-M of 2007

Date of Decision: 27.4.2007

Ramesh Kumar .....Petitioner

Versus

State of Haryana .....Respondent

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.SS Narula, Advocate
for the petitioner.

Mr.SS Mor, Senior DAG Haryana.

JUDGMENT

The prosecution allegations are as under:

House No.639/23 situated at DLF Colony, Rohtak was owned by Sunder Lal. He never sold that house to the petitioner. However, it came to the notice of Ms.Krishna Wanti wife of Sunder Lal that a person impersonating her husband had sold the house aforementioned to the petitioner. She got into touch with the police but drew a cold response. It is only on account of the intervention of the Chief Minister that a case was registered against the petitioner. It transpired in the course of investigation that it was the petitioner who, in connivance with another person who had impersonated Sunder Lal, purchased the property for Rs.11 lacs.

It is argued on behalf of the petitioner, in support of the anticipatory bail plea, that the petitioner is, in fact, himself a cheated individual.

The plea raised is false on the face of it. If a person has to shell out a sum as large as Rs.11 lacs for the purchase of a residential accommodation, he would be expected to make at least reasonable bit of enquiries about the title of that house and also the identity of the vendor. In the present case, the prosecution allegation is that the petitioner/vendee and the impersonator/vendor connived with each other to transfer title of house No.639/23 which did not, at all, belong to the latter. As noticed by the Sessions Judge, Rohtak in the impugned order dated 16.4.2007, the matter calls for thorough investigation and the police has yet to look into the modus-operandi of the impugned transaction.

In the light of foregoing discussion, I do not find it to be a fit case for the grant of anticipatory bail. The plea shall stand declined accordingly.

(S. D. ANAND)
JUDGE

April 27, 2007
SRM